

Remarks

Claims 21-39, 41-45, 47-68, 70-74, 76-97, 99-103, and 105-107 are pending in this application and are rejected. Claims 21, 50, and 79 are herein amended, and claims 123-125 are added. For at least the reasons set forth below, Applicants assert that all claims are in condition for allowance.

Claim Rejections – 35 U.S.C. § 102

Claims 21-27, 50-56, and 79-85 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Jones et al.*, U.S. Patent No. 6,021,397. Because “[a] claim is anticipated only if each and every element as set forth in the claim is found ... in a single prior art reference [and] ... [t]he identical invention must be shown in as complete detail as is contained in the ... claim”, and because *Jones et al.* fails to shown the claim invention in as complete detail is contained in the claims, Applicants assert that the reference fails to anticipate these claims. MPEP §2131 (emphasis added).

Independent claims 21, 50, and 79 have been amended herein, and now recite the following limitations:

- (I) the user preferences including for each selected goal an adjustable time indicia and an adjustable quality indicia, wherein the adjustable time indicia denotes a time when the user prefers to achieve the goal and the adjustable quality indicia denotes the quality of the goal preferred by the user; and
- (II) graphically presenting the impact of the adjustment comprises displaying a plurality of images, each representing a goal, and altering the appearance of at least one of the images to reflect an inverse relationship between the time indicia or the quality indicia of the adjusted goal and the time indicia or the quality indicia of one or more of the other goals.

Jones et al. clearly fails to show either of these limitations as required by MPEP §2131, and for at least this reason, Applicants respectfully request that the present rejection be withdrawn.

As to the first limitation – the user preferences including an adjustable time indicia *and* an adjustable quality indicia for *each* goal – this requirement is clearly distinguishable from *Jones et al.* The *Jones* reference is directed to a financial advisory system to “return scenarios for optimized portfolio allocations” and to facilitate financial product selection. Col. 2, ll. 48-51. However, *Jones* fails to disclose presenting to the user a plurality of preferences for goals, where the user preferences include an adjustable time indicia *and* an

adjustable quality indicia for each goal.

Jones et al. contemplates only a single, unique instance of a time-related parameter, namely retirement age. See, e.g., Col. 6, ll. 27-31 ("This process of the financial advisory system 100 providing advice and/or feedback and the user adjusting risk, savings, and retirement age parameters may continue until the user has achieved a desired portfolio forecast and performance distribution."). However, the parameters described by *Jones et al.* – risk, savings, and retirement age – clearly do not *each* include *both* an adjustable time indicia and an adjustable quality indicia as claimed, and nowhere does the Jones reference disclose in as complete detail both indicia for each goal.

As to the second limitation – graphically presenting the impact of adjustments by displaying images and altering their appearance to reflect an inverse relationship – the Jones reference also fails to disclose this requirement. Specifically, this limitation requires (A) graphically presenting the impact of the *user's* adjustment to a goal preference, and (B) altering the appearance of an image to reflect an inverse relationship between one of the user preferences of the adjusted goal and one of the user preferences of one or more of the other goals.

In contrast, *Jones et al.* describes:

A significant change in the market value of the user's assets may affect one or both of the probability of achieving a financial goal and the current risk associated with the portfolio. In the case that the user's portfolio has experienced a large loss, the portfolio may no longer be within a predetermined probability tolerance of achieving one or more financial goals. Further, as is typical in such situations, the risk associated with the portfolio may also have changed significantly.

Col. 19, ll. 16-24. Thus, Jones merely describes external effects, such as "the market value of the user's assets" and a significant in the change of "risk associated with the portfolio" as the basis for affecting the achievement of a financial goal. This is clearly distinguishable from the claims, which recite presenting an impact based on a *user's* adjustment, not based on an external effect (e.g., "market value") as in Jones. Moreover, *Jones et al.* also clearly fails to address the limitation of altering the appearance of an image to reflect the inverse relationship as claimed. Indeed, nowhere does Jones even disclose displaying an image to reflect an adjusted goal.

For at least the foregoing reasons, *Jones et al.* fails to anticipate the current pending claims as amended, and Applicants respectfully request that the rejection of all claims under § 102 be withdrawn.

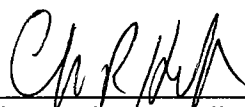
Claim Rejections – 35 U.S.C. § 103

Claims 28-39, 41-49, 50-68, 70-78, 86-97, and 99-107 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Jones et al.*, U.S. Patent No.6,021,397. Because claims 28-39, 41-49, 50-68, 70-78, 86-97, and 99-107 depend either directly or indirectly from independent claims 21, 50, and 79, these dependent claims are allowable as depending from allowable claims. Applicants respectfully request that the rejection of all claims under § 103(a) be withdrawn.

CONCLUSION

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7237. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees (including fees for any extension of time), to Deposit Account No. 50-1901 (Docket 060021-352501).

Respectfully submitted,



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